

states that Ms. Handel will respond to the Second Amended Complaint on Monday, October 2nd. (Email from Vincent Russo to the Court on September 28, 2017 at 1:28 P.M.)

The very reason the Court scheduled the September 20th phone conference was to determine whether Ms. Handel was still a party to the case in light of Plaintiffs' Second Amended Complaint. This is apparent from the meeting minutes entered the same day:

Plaintiffs stated that they did drop the contest claim in the recently filed amended complaint and that there were no remaining claims against Karen Handel. Counsel for Handel contended that she should thus be dismissed as a party. By Tuesday, September 26, 2017, the Plaintiffs are to provide Handel's attorney, and notify the Court, as to Plaintiffs' position re the claims against Handel.

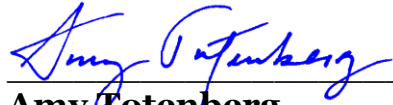
(Doc. 76.) Accordingly, on September 26th, Plaintiffs' counsel emailed the Court and all parties confirming that there were no pending claims against Ms. Handel that warranted her continued participation in the case. (Email from Edward B. Schwartz to the Court on September 26, 2017 at 12:03 P.M.)

Ms. Handel is no longer a party to this case as of the Second Amended Complaint. She is not required to file any response to the Second Amended Complaint, let alone participate in this case going forward. There is nothing to dismiss. And therefore there is no basis for Mr. Russo's motion.

The Clerk of Court is **DIRECTED** to immediately terminate Ms. Handel as a party in this case, so that the docket reflects that the Second Amended

Complaint brought no claims against Ms. Handel and did not name her as a party defendant.

IT IS SO ORDERED this 28th day of September, 2017.

A handwritten signature in blue ink, appearing to read "Amy Totenberg", is written over a horizontal line.

Amy Totenberg
United States District Judge